

The below described is **SIGNED**.

Dated: December 07, 2012



JOEL T. MARKER  
U.S. Bankruptcy Judge



*Prepared and proposed by*

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re: <b>PLAY BEVERAGES, LLC,</b> Debtor.	Bankruptcy No. 11-26046 JTM Chapter 11 Honorable Joel T. Marker
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**ORDER DISMISSING CASE**

This matter came before the Court on December 5 and 6, 2012 upon (i) the motion of Warner Depuy, Lib-MP Beverage, LLC, George Denney, Liberty Beverages LLP and Rhino Beverages, LLC (the "Petitioning Creditors") (dkt. #338) for an order re-converting this case, and (ii) the motion of the United States Trustee (dkt # 343) for an order converting or dismissing this case, under 11 U.S.C. § 1112(b) (collectively, the "Motions"). Matthew M. Boley and Bryon J. Benevento appeared on behalf of the Debtor. Laurie A. Cayton appeared on behalf of the United States Trustee. J. Thomas Beckett, Michael W. Young and Zack L. Winzeler appeared on behalf of the Petitioning Creditors. Danny C. Kelly and Christopher N. Weiss

appeared on behalf of Playboy Enterprises International, Inc. Russell C. Fericks appeared on behalf of Cirtran Beverage Corp.

Evidence was presented. Gil A. Miller and Iehab Hawatmeh testified.

After reviewing the Motions, the responses to the Motions filed by the Debtors and other parties-in-interest and other matters of record, considering the Debtor's voluntary stipulation to dismissal of the bankruptcy case, based upon the evidence received at the hearing on the Motions, and the Court having announced its findings of fact and conclusions of law on the record in open Court:

**IT IS HEREBY ORDERED** as follows:

1. The Motions are granted in part and denied in part, as described herein.
2. The above-captioned case shall be, and hereby is, dismissed, effective immediately upon entry of this Order.
3. Pursuant to the Debtor's stipulation, the Debtor shall not file a petition for relief under title 11 of the United States Code prior to the expiration of 180 days from the date of entry of this Order.
4. The automatic stay is terminated and no longer in effect immediately upon entry of this order.
5. All pending motions, applications, contested matters and other proceedings in the above-captioned case are stricken as moot.
6. Adversary Proceeding No. 12-2324 is dismissed without prejudice.

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